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UNITY IN DIVERSITY: EUROPEAN CITIZENSHIP THROUGH THE LENS OF POPULAR CULTURE

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Citizenship plays a central role within the political, legal and academic discourse of the European Union. It has been instrumental in attempting to foster a European identity across national boundaries, and it is a useful heuristic device for analyzing wider issues of membership and belonging. Citizenship theory also has been developed using examples drawn from popular culture. This article seeks to build upon this approach and enrich our understanding of European citizenship by interrogating one important annual European cultural event: the Eurovision Song Contest. The Contest, like Europe itself, illuminates a central tension between identity and difference, which demands scepticism towards grand narratives of an inevitably exclusionary European identity and destiny.

La citoyenneté joue un rôle clé dans le discours politique, juridique et universitaire de l'Union européenne. La citoyenneté a joué un rôle de premier plan lorsqu'il s'est agi de cultiver une identité européenne par-delà les frontières nationales, et elle représente un moyen heuristique utile pour analyser des questions plus larges comme l'affiliation et l'appartenance. La théorie de la citoyenneté s'est également élaborée au moyen d'exemples tirés de la culture populaire. Cet article cherche à s'inspirer de cette approche et à faciliter notre compréhension de la citoyenneté européenne en examinant un événement culturel européen annuel important : le Concours Eurovision de la chanson. Le Concours, comme l'Europe elle-même, met en lumière une tension fondamentale entre identité et différence, ce qui exige d'accueillir avec scepticisme les métarécits d'une identité et d'une destinée européennes inévitablement discriminatoires.

I. INTRODUCTION

Although citizenship as a legal and political status – constituting a set of rights and responsibilities by which the individual is connected to the nation state – is hardly a new construct, it has only a relatively short history in the specific context of the project of European integration. In this same period, the concept of citizenship has

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enjoyed a renewed interest across a range of academic disciplines for its explanatory potential. In fact, citizenship has been deployed in a staggeringly disparate assortment of ways in order to illuminate the complex connections between individuals, groups, and political communities, encompassing “collective identity, privileges of political membership, and social rights and claims.”¹ This article can be located within that tradition. My aim is to utilize citizenship as shorthand for illustrating the paradoxes of “belonging” in Europe today. In so doing, I move from the legal meaning of European citizenship to broader, cultural understandings of what it means to belong – to be a citizen – in this transnational environment. Thus, I am interested both in “citizenship as a formal status in the law and as a substantive category of belonging.”² I hope to refute the claim that citizenship has now exhausted its explanatory potential as a heuristic device by demonstrating that it still provides a useful means by which to demonstrate the complexities of “participation in public life and identity formation.”³

Citizenship has come to stand for a generalized and sometimes ill-defined measure of whether and how we are brought within the wider communities of which we claim membership. Indeed, it is central to our daily lexicon, embracing not only rights, but also our responsibilities to the polity.⁴ For example, the importance of “good citizenship” is a frequently recited trope which can be inculcated through citizenship education, both for those who aspire to membership in the national community and for those who find themselves attached to the nation state by accident of birth. Citizenship education in itself is interesting because it underscores the lack of consensus as to the substantive content of what it means to be a successful citizen.⁵

Citizenship is never ideologically neutral. The question of who gets to enjoy the privileges of membership, and how many of them,⁶ as well as the content of the basket of rights and responsibilities, will always be profoundly political.⁷ For example, many feminist theorists have demonstrated the ways in which citizenship has centred on a public sphere from which the category “woman” was historically excluded, and have shown how the public/private dichotomy has been a central

¹ Seyla Benhabib, *The Claims of Culture* (Princeton: Princeton University Press, 2002) at 162. See also Audrey Macklin, “Who is Citizen’s Other? Considering the Heft of Citizenship” (2007) 8:2 *Theor Inq L* 333 at 334: “Citizenship as an analytic category is remarkably capacious, as if self-consciously resisting the exclusionary impulses that horizontal practices of citizenship cannot”; and Gerald Delanty & Chris Rumford, *Rethinking Europe: Social Theory and the Implications of Europeanization* (London: Routledge, 2005) at 4: “[t]he concept of citizenship has been over-worked as a sociologically useful term”.

² Siobhan Somerville, “Notes Toward a Queer History of Naturalization” (2005) 57:3 *American Quarterly* 659 at 671.

³ Yishai Blank, “Spheres of Citizenship” (2007) 8:2 *Theor Inq L* 411 at 415.

⁴ David Scobey, “The Specter of Citizenship” (2001) 5:1 *Citizenship Studies* 11.

⁵ Katharyne Mitchell, “Educating the National Citizen in Neoliberal Times: From the Multicultural Self to the Strategic Cosmopolitan” (2003) 28:4 *Transactions of the Institute of British Geographers* 387. The subject of this article, the Eurovision Song Contest, has itself been used as the basis of a lesson plan for citizenship education in schools: “Eurovision Cross-curricular Project”, online: Times Education Supplement <<http://www.t-e-s.co.uk/article.aspx?story-code=3012462>>.

⁶ What Audrey Macklin calls the “heft” of citizenship: Macklin, *supra* note 1.

⁷ See e.g. Cris Shore, *Building Europe: The Cultural Politics of European Integration* (London: Routledge, 2000) at 71, wherein citizenship is described as “an ideological construct”.

regulatory device in citizenship discourse.⁸ Furthermore, it has been argued that citizenship is not only a means to embrace the individual into the community and grant privileges of membership, it is equally a means to assimilate and to “normalize” into responsibility and self-discipline.⁹ At the same time, individuals and groups are not passive vessels in a process of normalization. We also shape, challenge and resist dominant assumptions about what makes the “good citizen.”¹⁰

In this article, my aim is to explore these themes and I do so through the lens of popular culture. Although this may appear at first to be an unusual disciplinary border crossing into the terrain of citizenship, the connections between popular culture and political community are increasingly made.¹¹ I investigate this nexus through a particular popular cultural event – the Eurovision Song Contest [ESC] – in order to illustrate some of the paradoxes of European citizenship.¹² My argument is that the ESC foregrounds an irresolvable tension between identity and difference that pervades the attempt at developing a post-national form of belonging in Europe. This is evident in political communities more widely, but it is thrown into particularly sharp relief in the novel context of the European transnational entity.

II. THE POST/NATIONAL CITIZEN OF THE UNION

Various facets (and faces) of citizenship come together in the unique circumstances of the European Union. First, citizenship is a legal construct in EU law, which came into being through the Treaty of Maastricht in 1992.¹³ The current formulation in Article 20 of the Treaty on the Functioning of the European Union states that:

1. Citizenship of the Union is hereby established. Every person holding the nationality of a Member State shall be a citizen of the Union. Citizenship of the Union shall be additional to and not replace national citizenship.
2. Citizens of the Union shall enjoy the rights and be subject to the duties provided for in the Treaties.¹⁴

Explicitly, European citizenship is an “add-on” and is dependent upon national citizenship. Its scope, in legal terms, appears very limited, including *inter alia*:

⁸ See e.g. Ruth Lister, *Citizenship: Feminist Perspectives* (Basingstoke: Macmillan, 1997); Sylvia Walby, “Is Citizenship Gendered?” (1994) 28:2 *Sociology* 379.

⁹ David Burchell, “The Attributes of Citizens: Virtue, Manners and the Activity of Citizenship” (1995) 24:4 *Economy & Society* 540.

¹⁰ Davina Cooper, “The Citizen’s Charter and Radical Democracy: Empowerment and Exclusion within Citizenship Discourse” (1993) 2:2 *Soc & Leg Stud* 149.

¹¹ See e.g. Brenda Cossman, *Sexual Citizens: The Legal and Cultural Regulation of Sex and Belonging* (Stanford: Stanford University Press, 2007).

¹² For background on the ESC, see generally John Kennedy O’Connor, *The Eurovision Song Contest: The Official History* (London: Carlton, 2007); and the official Eurovision Song Contest website, online: Eurovision <<http://www.eurovision.tv/page/home>>.

¹³ Treaty on European Union, 7 February 1992, [1992] OJ C 224/1.

¹⁴ Consolidated Version of the Treaty on the Functioning of the European Union, 13 December 2007, [2008] OJ C 115/1.

- a) the right to move and reside freely within the territory of the Member States;
- b) the right to vote in local and European elections in the host state and stand as a candidate;
- c) the right to diplomatic and consular protection from the authorities of any Member State in third countries;
- d) the right to petition the European Parliament and the right to apply to the ombudsman and to address the institutions and advisory bodies of the Union in any of the official languages of the EU.¹⁵

Historically, citizenship of the Union has been associated with the exercise of rights, rather than with citizenship participation or responsibilities.¹⁶ This has given rise to its description as a passive form of citizenship.¹⁷ Moreover, the overriding right of European citizenship clearly has been free movement of persons (and “workers” in particular), although the content of this right has been interpreted so as to uphold basic human rights (particularly the right to “family life” in the European Convention on Human Rights¹⁸).¹⁹ This is because the scope of citizenship rights has expanded to include the Charter of Fundamental Rights of the European Union,²⁰ and today we find European citizens’ rights “scattered across primary and secondary sources.”²¹

Originally, the right to free movement was justified in terms of an unimpeded free market (which also was the rationale for EU sex discrimination law).²² Thus, it has been commonplace to describe citizenship of the Union as primarily a form of “market citizenship”,²³ in that it has prioritized and privileged “the role of the economically active in the free movement of workers and only giv[es] secondary free movement rights to the non-economically active.”²⁴ An important limitation on EU citizenship rights concerns “third country nationals” resident within the EU, who did not possess free movement rights (although this has now altered to some extent in the case of third country nationals who are long term residents).²⁵ Those

¹⁵ Ibid.

¹⁶ Kenneth Armstrong, “Legal Integration: Theorizing the Legal Dimension of European Integration” (1998) 36:2 *Journal of Common Market Studies* 154.

¹⁷ Gianluigi Palombella, “Whose Europe? After the Constitution: A Goal-Based Citizenship” (2005) 3:2-3 *International Journal of Constitutional Law* 357 at 362.

¹⁸ Convention for the Protection of Human Rights and Fundamental Freedoms, 4 November 1950, 213 UNTS 221, Eur TS 5.

¹⁹ Flora Goudappel, *The Effects of EU Citizenship* (The Hague: T M C Asser Press, 2010) at 30.

²⁰ EU, Charter of Fundamental Rights of the European Union, [2000] OJ C 364/01.

²¹ Catherine Barnard, *The Substantive Law of the EU*, 3d ed (Oxford: Oxford University Press, 2010) at 421.

²² Goudappel, *supra* note 19 at 30.

²³ Michelle Everson, “The Legacy of the Market Citizen” in Jo Shaw & Gillian More, eds, *New Legal Dynamics of European Union* (Oxford: Clarendon Press, 1995) 73.

²⁴ Goudappel, *supra* note 19 at 31.

²⁵ Ibid at 33.

married to nationals have only secondary citizenship rights.²⁶ Finally, an “in-between category of citizens” has been created in order to grant only limited rights to citizens of the accession states of Eastern Europe during a period of transition.²⁷ In sum, we find today “multiple categories of citizens, all with a different set of rights and duties.”²⁸ But what remains clear is who sits at the top of the citizenship apex, namely, the “cross-border worker.”²⁹ In these ways, the tension between freedom of movement within the EU, and the linking of rights to territorial notions of membership, creates a situation in which “the EU is caught in contradictory currents that move it toward norms of cosmopolitan justice in the treatment of those who are within its boundaries, while leading it to act in accordance with outmoded Westphalian conceptions of sovereignty toward those who are on the outside.”³⁰ This tension between the cosmopolitan and the communitarian will be central to my argument in this article.³¹

While much critical attention has been paid to the way in which European citizenship privileges the economically active migrant, it must be noted that the legal construct of citizenship did not create mobility rights *ab initio*. Instead, it “rebranded” rights under the sign of European citizenship. The rationale was very clear. It was explicitly intended to create “a category of subjectivity”³² – the European citizen – in order to foster and encourage a sense of belonging to the European Union: “European citizenship was going to help construct a European demos and to elicit subjective identification with the EU.”³³ The individual, it was hoped, would be connected to this transnational collective entity, giving rise to loyalty and identity “to create a community of people rather than simply a free market area.”³⁴ Yet, at the same time, the derivative character of EU citizenship problematically “subjects membership to the European public to the definitions, terms and conditions of membership prevailing in national politics.”³⁵ European citizenship thus was intended to provide a “political technology” designed “to

²⁶ Ibid.

²⁷ Ibid.

²⁸ Ibid.

²⁹ Ibid at 34.

³⁰ Seyla Benhabib, *Another Cosmopolitanism* (Oxford: Oxford University Press, 2006) at 47.

³¹ See generally Richard Bellamy & Dario Castiglione, “The Communitarian Ghost in the Cosmopolitan Machine: Constitutionalism, Democracy and the Reconfiguration of Politics in the New Europe” in Richard Bellamy, ed, *Constitutionalism, Democracy and Sovereignty: American and European Perspectives* (Aldershot: Avebury, 1996) 111.

³² Shore, *supra* note 7 at 30.

³³ Dora Kostakopoulou, “European Union Citizenship: Writing the Future” (2007) 13:5 *Eur LJ* 623 at 625.

³⁴ Willem Maas, *Creating European Citizens* (Lanham: Rowman & Littlefield, 2007) at 7.

³⁵ Kostakopoulou, *supra* note 33 at 626. See also Paul Magnette, “How can one be European? Reflections on the Pillars of European Civic Identity” (2007) 13:5 *Eur LJ* 664 at 678: “Studies in social psychology show a strong correlation between identification with Europe and xenophobia. It is also probable that the more identity is forged through opposition, the more potential for exclusion it carries. If these hypotheses were to be validated, the paradox of the identification with the Union would be the decline in tolerance for non-Europeans, including those within the EU.”

shape the way individuals perceive and conduct themselves.”³⁶ My interest, however, is neither to critique nor to celebrate the legal limitations or potential of EU citizenship discourse. Instead, I want to explore citizenship in a broader sense, as signifying more general issues concerning identity, belonging, and membership of political communities which exist at different geographical and political scales in Europe.

At the heart of this study, I argue that there lies an apparent contradiction in how citizenship is conceived in the EU, which is relevant to other polities as well. On the one hand, policy makers and academics sympathetic to the European project have attempted to construct and to justify a common European identity in terms of a shared culture, by which I mean the historical reservoir of knowledge and values of society. This acts like a tarpaulin placed over the cultural and historical diversity between and within nation states, which is coterminous with an imagined entity called “Europe.” In this moment, the EU “legitimizes itself through the nationalistic pretence of common culture in precisely the same way as its constituent nation states.”³⁷ Tradition becomes selectively “reclaimed” (or invented) as a unifying force which can then act as a rationale for the inclusion of new citizens and the exclusion of those who are not (and might never be) essentially European.³⁸ Claims to a common culture thus are made in order to bind Europeans together while, simultaneously, that culture is assumed to be always already embedded in the “collective conscience of its peoples.”³⁹

This approach to citizenship has been apparent in some official EU publications in the past which refer to the promotion of a European culture.⁴⁰ As Tawhida Ahmed and Tamara Hervey argue, the European Commission has primarily funded cultural projects based upon a “traditional” notion of culture through which minority cultures have been largely excluded.⁴¹ Citizenship becomes inextricably linked to a shared culture and a common cultural tradition which is produced through a selecting of elements which can then be knitted together. In this moment, citizenship is grounded in culture, but it is a culture particularly shaped by reason and modernity.⁴² This is a citizenship which apparently arises out of the Enlightenment, leaving those not so positioned burdened by “excessive and archaic” culture and therefore not easily (or perhaps ever) capable of assimilation into being “Europeans.”⁴³

³⁶ Shore, *supra* note 7 at 30. The invention of citizenship is closely related to the desire to enhance the ideological strength of the institutions of contemporary European governance.

³⁷ Ian Ward, “Identifying the European Other” (2002) 14:2-3 *Int’l J Refugee L* 219 at 226.

³⁸ Nick Barber, “Citizenship, Nationalism and the European Union” (2002) 27:3 *Eur L Rev* 241 at 252.

³⁹ Shore, *supra* note 7 at 52.

⁴⁰ See Rachel Crauford Smith, “From Heritage Conservation to European Identity: Article 151 EC and the Multi-faceted Nature of Community Cultural Policy” (2007) 27:1 *Eur L Rev* 48. Article 151 EC is the current Article 167 of the Treaty on the Functioning of the European Union.

⁴¹ Tawhida Ahmed & Tamara Hervey, “The European Union and Cultural Diversity: A Missed Opportunity?” (2003-2004) 3 *European Yearbook of Minority Issues* 43.

⁴² Franz Mayer & Jan Palmowski, “European Identities and the EU – The Ties that Bind the Peoples of Europe” (2004) 42:3 *Journal of Common Market Studies* 573.

⁴³ Leti Volpp, “The Culture of Citizenship” (2007) 8:2 *Theor Inq L* 571 at 574. Guibernau suggests that this is a Europe “defined by capitalism, social welfare, liberal democracy, respect for human

This imagining of citizenship through a shared identity has not gone uncontested. It has been argued forcefully that, as a descriptive and a normative matter, we cannot understand European citizenship through such a nation based and exclusionary model of identity (problematic even at the level of the nation state) writ large.⁴⁴ Instead, the opportunity can and should be taken to approach this novel citizenship form in a radical fashion. In this interpretation, an alternative imagining of citizenship is articulated which does not depend on the singularity of identity and claims of being a European “people” in unity. Instead, post-national citizenship has been associated with “a cosmopolitan orientation”,⁴⁵ and has been characterized by Jo Shaw as “an open-textured concept”⁴⁶ with “a lack of anchorage”,⁴⁷ “where the very social basis of the polity remains highly contested and very fluid.”⁴⁸ In this way, European citizenship could “change our understanding of community.”⁴⁹ It can “make the boundaries of membership more open and flexible”,⁵⁰ leading to “a Europe which is self-critically experimental.”⁵¹

For example, Dora Kostakopoulou argues that this reorientation would focus on difference (rather than identity), inclusivity, networks, and “a genuinely heterogeneous European public.”⁵² Instead of attempting to reclaim (or invent) a common shared European identity, sameness is rejected in favour of a form of pluralism in which there is no single “people” of Europe. There may be direct political connection through institutions to individuals, but this is a form of post-national thinking which does not rely upon a single European public sphere and political life.⁵³ Instead, it “requires informed curiosity about the political lives of our neighbours and mechanisms for our voices to be heard in each other’s forums.”⁵⁴ Claims to a common identity are refuted, for example, by the observation that, although “Europe can be distinguished by a common historical experience”,⁵⁵ the interpretation of that experience is deeply divisive because of sharply “divergent historical memories.”⁵⁶ In fact, the European Economic

rights, freedom and the rule of law, prosperity and progress”: Montserrat Guibernau, *The Identity of Nations* (Cambridge: Polity, 2007) at 115-116.

⁴⁴ See e.g. Dora Kostakopoulou, “Thick, Thin and Thinner Patriotisms: Is This All There Is?” (2006) 26:1 *Oxford J Legal Stud* 73; Kalyso Nicolaidis, “The New Constitution as European ‘Demoi-cracy’?” (2004) 7:1 *Critical Review of International Social and Political Philosophy* 76; Michael Lister and Emily Pia, *Citizenship in Contemporary Europe* (Edinburgh: Edinburgh University Press, 2008); Ward, *supra* note 37.

⁴⁵ Kostakopoulou, *supra* note 33 at 630.

⁴⁶ Jo Shaw, “Postnational Constitutionalism in the European Union” (1999) 6:4 *Journal of European Public Policy* 579 at 589.

⁴⁷ *Ibid* at 585.

⁴⁸ *Ibid* at 586.

⁴⁹ Kostakopoulou, *supra* note 33 at 628.

⁵⁰ *Ibid*.

⁵¹ Ulrich Beck, *Cosmopolitan Vision*, translated by Ciaran Cronin (Cambridge: Polity, 2006) at 171.

⁵² Kostakopoulou, *supra* note 33 at 643.

⁵³ Philip Schlesinger, “Media and Belonging: The Changing Shape of Political Communication in the European Union” in Ulf Hedetoft & Mette Hjort, eds, *The Postnational Self: Belonging and Identity* (Minneapolis: University of Minnesota Press, 2002) 35 at 42.

⁵⁴ Nicolaidis, *supra* note 44 at 84.

⁵⁵ Mayer & Palmowski, *supra* note 42 at 581.

⁵⁶ *Ibid*.

Community was itself “an institutional creation necessitated precisely by the lack of a positive identity.”⁵⁷ When attempts have been made by academics, and EU politicians and bureaucrats, to claim some kind of identity based on a shared culture, these attempts generally lead (as they do in other political contexts) to exclusion and division.

My argument is that these two visions produce a constitutive tension within our understanding of European citizenship between identity and difference. In some moments, EU institutions have emphasized a common heritage and ancestry (drawing, for example, on Christianity, classical civilization or the Enlightenment),⁵⁸ but in other moments, the EU turns towards “heterogeneity and multiplicity.”⁵⁹ Currently, for example, “Brussels has identified its cultural agenda as the preservation of Europe’s diversity.”⁶⁰ Indeed, the slogan “unity in diversity” has become a motto of the European Union, underlining the paradox of asserting both identity and difference.⁶¹ This is the challenge,⁶² but also the potential, of a post-national form of citizenship, which illustrates a more general proposition that there is no original, “pure” culture, and that cultural traditions are always “changeable, renegotiated and reconstructed creations shaped by external influences, internal reflections, struggles and collisions.”⁶³

This post-national complexity manifests itself in everything from Euro bank notes to buildings. On the former, we find “nothing but emptiness: bridges with empty arches, empty doorways, and empty windows.”⁶⁴ On the latter, “the buildings of the EU’s institutions have been inspired by forward-looking modernism.”⁶⁵ In this moment, “rationality and enlightenment” become the universal tradition that is drawn upon, in which “much of what is now being called European is devoid of memory.”⁶⁶ But this in itself is problematic as reason comes to signify that which is specifically European and thereby reproduces the historic

⁵⁷ Ibid at 580.

⁵⁸ Shore, *supra* note 7 at 54-63.

⁵⁹ Mayer & Palmowski, *supra* note 42 at 582.

⁶⁰ Ibid.

⁶¹ Shore, *supra* note 7 at 54. On the paradox of the slogan, See e.g. Michel Rosenfeld, *The Identity of the Constitutional Subject* (New York: Routledge, 2010) at 176: “Either the European peoples are already united in their diversity, in which case it is difficult to understand why their constitutional project is so problematic; or, the unity in question is a hope for the future, but rings hollow as nothing has occurred thus far suggests how this abstract aspiration may be transformed into a concrete process of adaptation”.

⁶² A challenge, in part, because “it hardly affords any further ground for common identification, especially since it describes the Union as an end in itself, instead of connecting with the ethical convictions of Union citizens”: Armin von Bogdandy, “The European Constitution and European Identity: Text and Subtext of the Treaty Establishing a Constitution for Europe” (2005) 3:2-3 *International Journal of Constitutional Law* 295 at 310.

⁶³ Kostakopoulou, *supra* note 44 at 90.

⁶⁴ Emil Tode, “Europe, a Blot of Ink” in Ursula Keller & Ilma Rakusa, eds, *Writing Europe* (Budapest: Central European University Press, 2004) 301 at 307.

⁶⁵ Mayer and Palmowski, *supra* note 42 at 581.

⁶⁶ Delanty and Rumford, *supra* note 1 at 99.

exclusion of the non-European from the realm of reason and civilization into the sphere of barbarism, savagery and weighed down by the burdens of culture.⁶⁷

In legal terms, Article 167 of the Treaty on the Functioning of the European Union encapsulates this tension within the text of the fundamental European law itself.⁶⁸ It both empowers the EU to bring Europe's "common cultural heritage to the fore", while also stressing the importance of "national and regional diversity." As Nick Barber has argued, the phrase "common cultural heritage" has proven to be a peg on which the EU has attempted to hang contested conceptions of a European cultural citizenship which unite the peoples of Europe.⁶⁹ This is "presented as the inheritance of the European people",⁷⁰ "a product of their history and experiences"⁷¹ and "a boundary marker."⁷² Critically, Barber observes that "true Europeans can be identified by virtue of their inculcation into these cultural experiences" which, of course, simultaneously provides the means for exclusion of the inauthentic (non) European (which has proven particularly relevant in the context of ongoing discussions about EU expansion to Turkey).⁷³

But Article 167 also contains within it the seeds of cultural difference by stressing the importance of diversity. Rachel Crauford Smith argues that Article 167, on the one hand, facilitates "conserving that which is deemed valuable from the past for future generations",⁷⁴ yet "no attempt is made to define the term

⁶⁷ See generally Peter Fitzpatrick, "New Europe and Old Stories: Mythology and Legality in the European Union" in Peter Fitzpatrick & James Bergeron, eds, *Europe's Other: European Law Between Modernity and Postmodernity* (Aldershot: Ashgate, 1998) 27.

⁶⁸ The relevant provisions of Article 167 are:

1. The Union shall contribute to the flowering of the cultures of the Member States, while respecting their national and regional diversity and at the same time bringing the common cultural heritage to the fore.
2. Action by the Community shall be aimed at encouraging cooperation between Member States and, if necessary, supporting and supplementing their action in the following areas:
 - improvement of the knowledge and dissemination of the culture and history of the European peoples,
 - conservation and safeguarding of cultural heritage of European significance,
 - non-commercial cultural exchanges,
 - artistic and literary creation, including in the audiovisual sector.
3. The Union and the Member States shall foster cooperation with third countries and the competent international organisations in the sphere of culture, in particular the Council of Europe.
4. The Union shall take cultural aspects into account in its action under other provisions of the Treaties, in particular in order to respect and to promote the diversity of its cultures.

Consolidated Version of the Treaty on the Functioning of the European Union, 13 December 2007, [2008] OJ C 115/1.

⁶⁹ Barber, *supra* note 38 at 255-256.

⁷⁰ *Ibid* at 256.

⁷¹ *Ibid*.

⁷² *Ibid*.

⁷³ *Ibid*. As illustrated by the comment of President Sarkozy of France that "Turkey does not have a place in the European Union because it's not a European country" (quoted in Julian Clark & Alun Jones, "The Spatialities of Europeanisation: Territory, Government and Power in 'EUrope'" (2008) 33:3 *Transactions of the Institute of British Geographers* 300 at 313).

⁷⁴ Crauford Smith, *supra* note 40 at 50.

‘culture’⁷⁵, which is assumed to combine universal (read European) values as well as specific national identities. What Crauford Smith does identify, however, in her review of recent EU policy documentation, is “the way in which cultural policy is now explicitly linked to the concept of European citizenship, thereby giving it a pronounced political and instrumental spin.”⁷⁶ The focus is on enhancing mutual understanding, commonality, networks, as well as promoting the common cultural heritage.

Thus, cultural policy has come to reproduce the identity/difference conundrum. The stress on networks, exchanges and collaboration allows for a European (non) identity which rests on the diversity of members without having to define any essential substantive content. But, simultaneously, claims are made to a common European culture which takes on a universal resonance, and which acts as a marker of Western civilization itself, which becomes both universal as well as specifically European.⁷⁷ This is the central problem of identity and difference in the imagining of citizenship: “a dynamic blend that remains in tension in function of the ongoing dialectical confrontation between the universal and the particular.”⁷⁸

The “unity in diversity” motto – “a deliberately ambiguous and ideologically loaded formula”⁷⁹ – thus becomes a handy device by which to “paper over” the fault lines in an imagined European identity and culture. As Monica Sassatelli argues, “the European dimension is conceived as a mediating instance between the global scale and local allegiances.”⁸⁰ That is, “Europe” must somehow manage to be neither universal nor particular.⁸¹ It cannot be genuinely universal because then there is nothing distinctly European about it.⁸² Thus, “a shared European identity means differentiating Europeans from others and solidifying a particularistic collective identity.”⁸³ Nor can it claim to be entirely particular because that would replicate the national on a larger stage, and force Europe to come up with an inevitably contested historical narrative and essence that fail to unite. As a consequence, it becomes neither fully cosmopolitan nor entirely communitarian.⁸⁴ Rather, it is:

[C]aught in the contradictory situation of having to define a common European culture that is universal – but not so universal that it is global and thus not distinctively European – and at the

⁷⁵ Ibid at 51.

⁷⁶ Ibid at 54.

⁷⁷ Delanty & Rumford, *supra* note 1 at 60-61. Moreover, “most attempts to define Europe ‘from a cultural perspective’ are loaded with ethnocentric and elitist assumptions about what constitutes Europe’s ‘cultural heritage’” (Shore, *supra* note 7 at 63).

⁷⁸ Rosenfeld, *supra* note 61 at 212.

⁷⁹ Shore, *supra* note 7 at 54.

⁸⁰ Monica Sassatelli, “Imagined Europe: The Shaping of a European Cultural Identity through EU Cultural Policy” (2002) 5:4 *European Journal of Social Theory* 435 at 439.

⁸¹ Delanty & Rumford, *supra* note 1 at 60-61. Moreover, “unity at the European level may serve to defuse tensions within multi-ethnic states and their own ethnic minorities” (Rosenfeld, *supra* note 61 at 176).

⁸² Sassatelli, *supra* note 80 at 439.

⁸³ Maas, *supra* note 34 at 98.

⁸⁴ Bellamy & Castiglione, *supra* note 31.

same time does not negate national and regional cultures. On the one side, the condition of universality must be satisfied and, on the other, the principle of diversity must be upheld.⁸⁵

More cynically, “unity in diversity” has been described as a “saccharine concept”,⁸⁶ signifying nothing except perhaps the ultimate postmodern entity.⁸⁷ It is hardly surprising, then, that European Union cultural policy has been largely a “top-down” exercise, and has demonstrated few tangible successes in fostering the EU’s citizenship agenda.⁸⁸

III. MEMBERSHIP AS PERFORMANCE IN EUROPE

We need to consider the fact that citizenship should also be understood as a performance: rules of behaviour, public actions, and self-understanding.⁸⁹

In the remainder of this article, I want to illustrate these abstract claims by exploring a particular example of popular culture in Europe today. I situate this approach to understanding citizenship at the intersection of political theory and cultural studies, an increasingly popular junction for academic analysis.⁹⁰ My method follows Jodi Dean’s insight that the study of popular culture can “pluralize the political”,⁹¹ and rejects “the idea that politics must be centered in the state.”⁹² Like Dean, I am interested in “the tensions and contradictions traversing cultural productions” which can rightly be labelled political.⁹³ As well, legal scholars, such as Brenda Cossman, have demonstrated convincingly that citizenship can be productively framed “as including not only legal and political practices but also cultural practices and representations.”⁹⁴ In this reading of citizenship, “it is about the way subjects are constituted as citizens and the way citizenship itself is constituted. It is about the discourses and practices of inclusion and exclusion, of belonging and otherness, and the many shades in between.”⁹⁵

⁸⁵ Delanty & Rumford, *supra* note 1 at 60-61, who go on to note that this also “confines European identity to very inflexible reference points” because national and regional identities become static (at 65).

⁸⁶ John Borneman & Nick Fowler, “Europeanization” (1997) 26 *Annual Review of Anthropology* 487 at 495.

⁸⁷ See Ward, *supra* note 37 at 237.

⁸⁸ Barber, *supra* note 38 at 255.

⁸⁹ Blank, *supra* note 3 at 450.

⁹⁰ For a useful introduction to this literature, see generally Jodi Dean, ed, *Cultural Studies and Political Theory* (Ithaca: Cornell University Press, 2000).

⁹¹ Jodi Dean, “Political Theory and Cultural Studies” in John Dryzek, Bonnie Honig & Anne Phillips, eds, *The Oxford Handbook of Political Theory* (Oxford: Oxford University Press, 2006) 751 at 756.

⁹² *Ibid.*

⁹³ *Ibid.* at 766.

⁹⁴ Cossman, *supra* note 11 at 5.

⁹⁵ *Ibid.* But for a critical assessment of this method, see Ruthann Robson & Tanya Kessler, “Unsettling Sexual Citizenship” (2008) 53:3 *McGill LJ* 535.

The method I adopt also is indebted to the work of communication theorists Jean Burgess, Marcus Foth and Helen Klaebe, who favour a broader understanding of the public sphere of citizenship, so as to recognize that “popular culture and everyday life” are also “constitutive of cultural citizenship.”⁹⁶ Popular culture has consequences for democracy, and it provides a “theoretical alternative to the rational public sphere”⁹⁷, widely associated with Jürgen Habermas, with its focus on political and civic rights and responsibilities.⁹⁸ According to Burgess, Foth and Klaebe, “bona fide citizenship is practised as much through everyday life, leisure, critical consumption and popular entertainment as it is through debate and engagement with capital ‘P’ politics.”⁹⁹ In this regard, television provides one important site of cultural citizenship, both in terms of producing a common identity for diverse populations who share an experience, but also increasingly through the recognition of diversity and difference within an audience who may relate in a disparate and fragmented set of ways to the medium and to any particular representation.¹⁰⁰

This cultural turn in citizenship studies, while not uncontroversial, can be justified in terms of how popular culture is an important means by which struggles over the representation of citizens play themselves out. Popular culture facilitates inclusion (and exclusion) and forms an integral part of the public sphere. It provides “a site of democratic explorations, translations and dialogue.”¹⁰¹ The way in which we are represented – and see ourselves in images – is important in terms of how we understand our place in the broader political landscape. It can reinforce dominant understandings, for example, of the family unit (a key vehicle by which the nation state has reproduced itself), or it can challenge and redefine, in a more inclusive way, how the family is imagined.¹⁰² Moreover, the impact of television certainly should not be underestimated. Ours is an era in which television provides the medium through which innumerable citizens experience direct democracy through televoting, while many of those same citizens claim to be disenfranchised by traditional political processes (and increasingly abstain from exercising their democratic rights).¹⁰³

⁹⁶ Jean Burgess, Marcus Foth & Helen Klaebe, “Everyday Creativity as Civic Engagement: A Cultural Citizenship View of New Media” Proceedings: Communications Policy & Research Forum, online: Network Insight Institute <<http://www.networkinsight.org/verve/resources/Burgess-Foth-Klaebe.pdf>> at 2.

⁹⁷ Ibid at 1.

⁹⁸ Jürgen Habermas, *The Structural Transformation of the Public Sphere. An Inquiry into a Category of Bourgeois Society*, translated by Thomas Burger (Boston: MIT Press, 1991 [1962]).

⁹⁹ Burgess, Foth & Klaebe, *supra* note 96 at 1. See also Lister & Pia, *supra* note 44 at 84, who argue that “the notion that there can be an essence of ‘the political’ is antipathetic to constructivist positions”.

¹⁰⁰ John Hartley, “Democratainment” in Robert Allen & Annette Hill, eds, *The Television Studies Reader* (London: Routledge, 2004) 524 at 527.

¹⁰¹ Delanty & Rumford, *supra* note 1 at 92.

¹⁰² Cossman, *supra* note 11 at 159-193.

¹⁰³ Of course, it can be argued that this suggests an unhealthy state of politics; see Lister & Pia, *supra* note 44 at 80: “something, it seems, is wrong with democracy, if more people vote for candidates on reality television shows, than vote to decide who will govern the country”.

While television may be understood as important to the creation and regulation of citizens, music is also relevant to my analysis.¹⁰⁴ It is trite to say that music has played a historically central role in the construction of national identity, promoting “belonging” by the citizen to the polity:

In a world where music and the politics of collective identity converge, it is the who, what, and why of performance that must be evaluated. To move beyond considerations of music as art and foreground its political uses is to admit another level of experience – a sphere where musical texts are as malleable as society itself.¹⁰⁵

This was certainly not lost on the politicians of the European Union, who recognized the “political uses” of music when they chose Beethoven’s Ode as an anthem of the EU.¹⁰⁶ By extension, popular music also plays a role in the ongoing constitution of nations and citizens. It “serves as a central means of demarcating national borders [and] reinforces the imaginary cultural boundaries of the nation state”;¹⁰⁷ although popular music has not figured prominently in official European Union discourse.

However, despite its absence from official policy, the conjunction of television and popular music has played a highly significant role in the post-war history of the European project broadly conceived. In this article, my interest is in one particular technology by which citizens are constituted, namely the Eurovision Song Contest [ESC]. The success of the ESC as an annual cultural event viewed and dissected by millions worldwide in itself makes it an obvious site of study.¹⁰⁸ But aside from the fact that it is so popular, the ESC is interesting because of the wide array of meanings which it appears to convey to an audience within and beyond Europe.¹⁰⁹ My argument is that the ESC is an event which, in spectacular fashion, illuminates and troubles contemporary ideas of European culture, identity, and citizenship. Through the endless interpretations made by its mass audience, it underscores the close relationship between politics and popular culture. As Philip Bohlman argues, “as the votes are tallied, Europe is exercising a cultural

¹⁰⁴ On popular music and national identity, see Martin Cloonan, “Pop and the Nation-State: Towards a Theorisation” (1999) 18:2 *Popular Music* 193.

¹⁰⁵ Caryl Clark, “Forging Identity: Beethoven’s ‘Ode’ as European Anthem” (1997) 23:4 *Critical Inquiry* 789 at 803.

¹⁰⁶ *Ibid.*

¹⁰⁷ Galit Saada-Ophir, “Borderland Pop: Arab Jewish Musicians and the Politics of Performance” (2006) 21:2 *Cultural Anthropology* 205 at 208.

¹⁰⁸ There is a growing academic literature that analyzes the ESC from a range of disciplinary angles. For a good introduction, see Ivan Raykoff & Robert Deam Tobin, eds, *A Song for Europe: Popular Music and Politics at the Eurovision Song Contest* (Aldershot: Ashgate, 2007).

¹⁰⁹ The Contest is broadcast live throughout the continent, but also is transmitted further afield. For example, it has a dedicated following in Australia; see Kate Douglas, “Increasing the Interactivity: The Eurovision Song Contest and Australia” (2000), online: *Media-Culture Reviews* <<http://reviews.media-culture.org.au/features/interactive/kdouglas-c.html>>.

democracy more universal and grassroots in character than any of its election rituals.”¹¹⁰

The Contest has an extensive and illustrious history which provides voluminous data for analysis. It began in 1956 as a project of the European Broadcasting Union [EBU] and participation has always been open to any member country of the EBU.¹¹¹ The EBU is not an agency of the European Union; rather it “is the world’s largest professional association of national public-service broadcasters” and was founded in 1950.¹¹² Membership includes, for example, a number of North African and Middle Eastern countries. Thus, the borders of the competition have always been far broader than those of the European Union or its predecessors, the EEC and EC (whose political and cultural borders have themselves been subject to “reimagining” throughout history).¹¹³

Based loosely on the San Remo Song Festival, the ESC was explicitly designed as a means of developing European culture through the increasingly important medium of television. Intended as a popular cultural spectacle, the ESC was consciously imagined so as to inculcate cultural citizenship for a European audience.¹¹⁴ Broadcasters hoped that the spectacle might facilitate a form of transnational European community and solidarity through song. If measured solely in terms of audience numbers and the engagement of the viewing public (particularly in more recent times through televoting), the ESC has proven a great success as a citizenship tool, providing one Saturday evening shared across national boundaries within and beyond the European Union.¹¹⁵ The fact that participation in the ESC has extended so widely – today encompassing Israel, Turkey, and Russia – reinforces the idea that “Europe” is a political construction with highly permeable and indeterminate boundaries.¹¹⁶ In addition, the ESC has often foreshadowed developments in political union: “Poland, Hungary, Slovakia, Slovenia, Estonia, and Lithuania joined the ESC a decade before they were allowed to join the EU, predicting Europe’s gradual expansion towards the East.”¹¹⁷ The same, of course, could be said for the United Kingdom, which was one of the original members of the ESC, long before it joined the EEC. The ESC provides a (literal) stage for the performance of the nation state for an international

¹¹⁰ Philip Bohlman, *The Music of European Nationalism: Cultural Identity and Modern Politics* (Santa Barbara: ABC-CLIO, 2004) at 9.

¹¹¹ Ivan Raykoff, “Camping on the Borders of Europe” in Raykoff & Tobin, *supra* note 108, 1 at 2.

¹¹² *Ibid.*

¹¹³ In addition, the borders of the EU can be understood as indeterminate, blurred and soft; see Jan Zielonka, *Europe as Empire: The Nature of the Enlarged European Union* (Oxford: Oxford University Press, 2006).

¹¹⁴ Robert Deam Tobin, “Eurovision at 50: Post-Wall and Post-Stonewall” in Raykoff & Tobin, *supra* note 108, 25 at 27.

¹¹⁵ It is estimated that the 2010 ESC was watched by 108 million viewers: see “EBU releases total viewing figures for the Eurovision Song Contest 2010”, online: EuroVisionary <<http://www.eurovisionary.com/eurovision-news/ebu-releases-total-viewing-figures-eurovision-song-contest-2010>>.

¹¹⁶ See Mikael af Malmberg & Bo Stråth, “Introduction: The National Meanings of Europe” in Mikael af Malmberg & Bo Stråth, eds, *The Meaning of Europe* (Oxford: Berg, 2002) 1 at 5: “concepts such as ‘Europe’ and ‘culture’ are increasingly seen as non-essential discursively shaped categories in a permanent flux where boundaries are constantly contested and negotiated”.

¹¹⁷ Raykoff, *supra* note 111 at 7.

audience but, simultaneously, it is a vehicle for the transcending of the nation state because of the goal of appealing to a public (and garnering votes) beyond national borders. As Göran Bolin argues, it “has become a discursive tool in the definitions of Europeanness and political strategies of Europeanization.”¹¹⁸

In a sense, all are equal citizens in the Contest in that each country has three minutes in which to perform, and the order of performance is randomly determined. Voting by television viewers occurs on a national basis immediately after all of the performances, and the votes of the public are then combined with those of national expert juries.¹¹⁹ Every EBU member country has an equal right to apply for entry into the competition (which is made up of two semi-finals as well as the grand finale). Outcomes are supposedly based upon “artistic merit” as each participating country ranks all of the songs (except its own). The ESC is governed by a lengthy and complex rule book designed to ensure free and fair competition.¹²⁰

However, this emphasis on fairness can also be understood as a formal equality of citizens which hides an underlying substantive inequality between nation states. Four nation states – UK, France, Germany, Spain – each receive an automatic “bye” through to the finals based upon the annual funding they provide to the Contest (thereby avoiding the very real possibility of elimination at the semi-final stage).¹²¹ Furthermore, economic disparities are readily apparent on Eurovision night, as some entries clearly are better funded than others, giving rise to apparent inequalities in production values, costumes, and special effects.¹²² However, this unequal starting position is tempered by the fact that, for those less wealthy countries for whom the Eurovision stage may represent an opportunity and an aspiration to display nationhood to an audience largely ignorant of their identity (and who may aspire to membership of the European Union), the three minutes of fame is often taken very seriously as a chance to demonstrate the worthiness of their aspirations. As a consequence, the financial investment by the competing country and earnestness of performance may be significantly greater than that seen emanating from the political “centre” of Europe.

But while Eurovision provides an unrivalled opportunity to perform nationhood on an international stage, it has long embodied a complex relationship to the forces of globalization and transnationalism, and it illustrates the tension between sameness and difference.¹²³ The ESC frequently has witnessed a combination of the performance of ethnicity (difference) and universality (sameness) simultaneously, in which “specific markers of national style might be woven into a song texture that is otherwise global.”¹²⁴ Indeed, this now seems to be

¹¹⁸ Göran Bolin, “Visions of Europe: Cultural Technologies of Nation-States” (2006) 9:2 *International Journal of Cultural Studies* 189 at 191.

¹¹⁹ Expert juries were reintroduced in the Contest after an absence of many years in order to moderate what were perceived by some to be the “excesses” of democracy by televoting alone.

¹²⁰ See, generally the 2010 ESC rules; online: Eurovision <<http://www.eurovision.tv/upload/esc2010rules.pdf>>.

¹²¹ *Ibid.*

¹²² In a similar fashion, Hoad argues that the Miss World Pageant provides an allegory of the processes of globalization through “the representational relation between deeply unequal countries and apparently equal contestants”: Neville Hoad, “World Piece: What the Miss World Pageant Can Teach About Globalization” (2004) 58 *Cultural Critique* 56 at 64.

¹²³ See, generally Bohlman, *supra* note 110 at 6-16.

¹²⁴ *Ibid* at 7.

a common recipe for Eurovision success. That is, the chances of appealing to a diverse international voting public increasingly seem to be dependent upon a performance which is read as culturally authentic, “exotic” and novel, but which is, nevertheless, readily consumable without too much obscurity or intellectual effort required. In this way, the ESC becomes a showcase for a form of “representational multiculturalism” in which citizenship is displayed for, and consumed by, an international audience of fellow citizens.¹²⁵ Diverse national cultures become something non-threatening and entertaining, and difference is sufficiently assimilated to be readily comprehensible and not essentially very different at all.¹²⁶

Furthermore, the choice of language has been frequently cited as an important element of Eurovision success. In this regard, the rules of the ESC have been subject to frequent changes. Whether an entry is restricted to an official language of the entry country, or whether there is freedom to sing in any language, has altered on several occasions, most recently in 1999, when restrictions were lifted.¹²⁷ The rules now allow participating countries to choose the English language (a perceived universal medium) which, many believe, greatly enhances the chances of success (although this may also be changing to some extent given the expansion of the contest eastward, leading to a decline in the hegemony of English). Through the years, though, participating countries have managed on a number of occasions to circumvent the particularizing force of language restrictions in order to appeal to a mass audience. This includes the use of nonsensical, invented languages, or familiar refrains.¹²⁸ In sum, Eurovision, like the EU, inhabits a tension between a common identity and cultural difference. It can be neither truly globalized nor entirely localized, and it inevitably straddles the boundary between cosmopolitanism and communitarianism.

Consequently, many songs of the ESC have been strongly influenced by the forces of cultural particularity through the inclusion of “indigenous” or “ethnic” musical styles.¹²⁹ Of course, the construction of music as traditional is itself a tool of nationalist discourse and “the attainment of a sense of historical cultural roots is sought by means of an active construction of the past rather than historical accuracy.”¹³⁰ Nevertheless, it is a frequently cited and highly successful phenomenon that has become widespread in recent contests. More accurately, it might be said that the ESC voters have rewarded some songs which combine both particularizing and universalizing currents. This can be seen as a highly creative

¹²⁵ Alf Björnberg, “Return to Ethnicity: The Cultural Significance of Musical Change in the Eurovision Song Contest” in Raykoff & Tobin, *supra* note 108, 13 at 23. See also Paul Allatson, “Antes Cursique Sencilla: Eurovision Song Contests and the Kitsch-Drive to Euro-Unity” (2007) 48:1 *Culture, Theory & Critique* 87.

¹²⁶ The history of the ESC is replete with examples of this negotiation of both universalizing and particularizing currents. For example, as far back as 1959, the French entry included “lyrical references to many familiar places such as Capri and Hawaii to give their song a more universal appeal”: O’Connor, *supra* note 12 at 15.

¹²⁷ *Ibid* at 69.

¹²⁸ The Spanish winning entry of 1968 – *La la la* – provides a frequently cited example by which the rule was circumvented through the fairly constant repetition of the word ‘la’, described as “the most repetitious song ever heard in the Contest”: *ibid* at 34.

¹²⁹ Björnberg, *supra* note 125 at 13.

¹³⁰ *Ibid* at 23.

means to appeal to a transnational audience. It also can stand as a metaphor for wider political developments in the European Union.

A leading example of the success of this strategy is in Turkey's winning song, *Everyway that I can*, of 2003.¹³¹ So called "ethnic music" was combined with English lyrics and pop music. According to Thomas Solomon, the success of the entry lay in the fact that it deployed "the exotic Turkish elements"¹³² – such as belly dancing – "within an overall hybrid style, and seems to be intended not so much for consumption in Turkey, but for distribution, promotion and consumption outside Turkey."¹³³ Similarly, Matthew Gumpert has described this approach as "Auto-Orientalist",¹³⁴ in that "ethnicity" is made "slightly and safely exotic",¹³⁵ and cultural difference becomes "just another performance designed for the West."¹³⁶ The symbolic significance of the victory cannot be underestimated, and was "widely seen in Turkey as an allegory of its aspirations to join the European Union and its frustratingly slow movement toward that goal."¹³⁷ It may provide a useful lesson for those working towards EU membership in Turkey. Success in the political realm may depend upon the domesticating of difference, such that the "other" is viewed as assimilable into the hegemonic values and institutions of the EU. In this reading, both the ESC and the struggle for EU membership become an ongoing performance by which the "other" must demonstrate that difference, if not transcended, can at least be contained and domesticated in such a way that it is non-threatening. Rather, it becomes just another harmless cultural variation under the sign of "Europe." As Leti Volpp suggests, "in order to be assimilated into citizenship, the cultural other needs to shed his excessive and archaic culture", leaving only that which can be safely absorbed.¹³⁸

A similar recipe for Eurovision success can be found in the 2004 winning performance by Ukraine's Ruslana in her rendition of *Wild Dances*.¹³⁹ Here it is worth noting that Ukraine has increasingly strong links with the European Union and a stated desire for membership.¹⁴⁰ It is a priority partner within the European Neighbourhood Policy¹⁴¹ and is currently negotiating an association agreement, "which includes a free-trade agreement and the possibility of visa-free travel"

¹³¹ The performance is readily available, online: Youtube <http://www.youtube.com/watch?v=_bPQwdfKOYg>.

¹³² Thomas Solomon, "Articulating the Historical Moment: Turkey, Europe, and Eurovision 2003" in Raykoff & Tobin, *supra* note 108, 135 at 137.

¹³³ *Ibid.*

¹³⁴ Matthew Gumpert, "'Everyway that I can': Auto-Orientalism at Eurovision 2003" in Raykoff & Tobin, *supra* note 108, 147 at 147.

¹³⁵ *Ibid.* at 151.

¹³⁶ *Ibid.* at 155.

¹³⁷ Solomon, *supra* note 132 at 136.

¹³⁸ Volpp, *supra* note 43 at 574.

¹³⁹ The performance is readily available, online: Youtube <<http://www.youtube.com/watch?v=TXgaOTOCsuU>>.

¹⁴⁰ Vsevolod Samokhvalov, "Relations in the Russia-Ukraine-EU Triangle: 'Zero-Sum Game' or Not?" Occasional Paper #68 (Paris: EU Institute for Security Studies, 2007), online: Institute for Security Studies <<http://www.iss.europa.eu/uploads/media/occ68.pdf>>.

¹⁴¹ EC, Commission, European Neighbourhood Policy Strategy Paper (Brussels: EC, 2004).

within the EU.¹⁴² It is certainly well within the penumbra of the EU's sphere of influence and subject to increasing regulation from the centre.¹⁴³ Wild Dances can be interpreted as a complex mixture of elements drawn from Carpathian indigeneity combined with a "contemporary musical and showbiz idiom."¹⁴⁴ In the performance, Ruslana both identifies as wild and savage-like (the non-European "other"), but also refutes these stereotypes through an embrace of the Enlightenment tradition of autonomy (and, moreover, female autonomy in this case).¹⁴⁵ The use of both Ukrainian and English lyrics "functions as a demonstration of the singer's loyalty to her native language, on the one hand, and of global cultural competence on the other."¹⁴⁶ The costumes both reference "primordial native cultural sources"¹⁴⁷ (real or invented for the occasion) but also "signalled participation in one of the most widespread practices of contemporary global popular culture: the sexualisation of cultural products in the interests of enhancing their market appeal."¹⁴⁸ It is this mixture of the strangely different and the universally familiar which seemed to catch the imagination of Eurovision voters.

In terms of Eurovision as citizenship, Ruslana provides a perfect example of the aspiration to European membership, as she performed the possibility of "the participation of Ukraine in Europe."¹⁴⁹ She suggests through Wild Dances that there is no necessary contradiction between the assertion of identity and participation in the transnational community. Indeed, as Marko Pavlyshyn concludes, "participation in the Eurovision contest was in itself the exercise of a right to figure in the European context",¹⁵⁰ by which Ruslana was "pushing her way into Europe while maintaining intact and authentic the culture with which she associated herself."¹⁵¹

Both Sertab and Ruslana create narratives of Eurovision (and European) success whereby outsiders assert claims to cultural citizenship through careful negotiation of the binary of universality and difference; of the indigenous and the global. Both play with Orientalist tropes while also challenging and undermining them, and importantly, they deploy western fantasies of the female exotic object of desire while asserting their autonomy and freedom simultaneously. My argument is that these can be read as citizenship claims directed to a transnational audience which can be linked to political objectives of national membership and standing on the transnational stage of the European Union. Here Eurovision provides "the

¹⁴² Viktor Tkachuk, "Ukraine is failing the democracy test" *The Guardian* (22 August 2010), online: *Guardian Online* <<http://www.guardian.co.uk/commentisfree/2010/aug/22/ukraine-failing-eu-democracy-test>>.

¹⁴³ On the relationship between the EU and its neighbours, see generally Zielonka, *supra* note 113.

¹⁴⁴ Marko Pavlyshyn, "Envisioning Europe: Ruslana's Rhetoric of Identity" (2006) 50:3 *Slavic and East European Journal* 469 at 470.

¹⁴⁵ *Ibid* at 474.

¹⁴⁶ *Ibid* at 476.

¹⁴⁷ *Ibid* at 481.

¹⁴⁸ *Ibid*.

¹⁴⁹ *Ibid* at 482.

¹⁵⁰ *Ibid* at 479.

¹⁵¹ *Ibid*.

chance to experience and experiment with more flexible identities – that respect the Other and ensures equal recognition and participation.”¹⁵²

These songs also demonstrate the radically different ways in which the ESC is experienced across the transnational arena. For example, for “new” states of the former Soviet bloc or the former Yugoslavia, the ESC may provide a significant moment in which the nation can perform its aspirations. For some of these nation states, a western audience may have only a vague understanding of the country and its geographical and political location. Yet, for the three minutes of the ESC final, a peripherally constructed nation state is literally given centre stage. Not surprisingly, there are strong elements of national pride and longing which become evident, as the ESC becomes “an important preliminary exercise in ‘self-imagining’ for the nation ... and its mapping within both regional and global contexts.”¹⁵³ Closely related here is the importance of hosting the Contest as a demonstration of national maturity (the “reward” for success the previous year), despite the significant financial implications involved for the host country.¹⁵⁴ The ability of the nation’s broadcaster to take on the event can be read as signifying national entry on the international stage – a joining of the European “club” – no matter the economic sacrifices which may need to be made: “the production of the Eurovision Song Contest, the Olympic Games and other similar events is the final test that the nation has the capability to join in the symbolic commodity production of late, post-industrial modernity.”¹⁵⁵

By contrast, for those partaking in Eurovision from the politically dominant centre, the attitude towards Eurovision is sometimes more ironic, and may even suggest a temporary refusal of power given over to the margins, safe in the knowledge that this abdication is fleeting.¹⁵⁶ In less playful moments, however, the attitude may be one of outrage at the results. For example, Britain’s relationship to the ESC – characterized largely by abysmal failure in recent times – has given rise to what might be called “Eurovision scepticism”, which permeates all aspects of the coverage of the event in the media.¹⁵⁷ This discontent has led to calls for the UK to withdraw from the ESC (mirroring the calls of some to withdraw from the European Union) and within much popular commentary, the flaws of the two institutions are similarly described.¹⁵⁸ The EU is seen as rife with corruption, notable for the failure of some countries to follow the law, financial waste, and nepotism, all of which comes at the expense of the UK. The ESC is met with

¹⁵² Lister & Pia, *supra* note 44 at 189.

¹⁵³ Bjorn Ingvaldstad, “Lithuanian Contests and European Dreams” in Raykoff & Tobin, *supra* note 108, 99 at 109.

¹⁵⁴ Jonathan Moles, “The unaffordable Eurovision Song Contest” *The Guardian* (20 May 2010), online: *Guardian Online* <<http://www.guardian.co.uk/commentisfree/2010/may/20/eurovision-spending-costs>>.

¹⁵⁵ Bolin, *supra* note 118 at 203.

¹⁵⁶ Raykoff, *supra* note 111 at 9.

¹⁵⁷ The World Wide Web contains a plethora of complaints from viewers outraged by what they perceive to be unjustifiable results – in terms of “merit” – each year. This is instantly revealed by typing “Eurovision” and “outrage” into any search engine.

¹⁵⁸ See e.g. Ed West, “Time to withdraw from Eurovision, the great Slavic stitch-up” *The Daily Telegraph* (16 May 2009), online: *The Telegraph Group* <http://blogs.telegraph.co.uk/news/edwest/9793257/Time_to_withdraw_from_Eurovision_the_great_Slavicstitchup/>.

similar criticisms, much of it linked to the direct democracy of televoting, which undermines the objectivity of judgment based on artistic merit. Regional loyalties and diasporic communities are frequently blamed for the ills of the Contest.¹⁵⁹ There are numerous other ways by which this relationship of the national to the postnational is played out, including bold defiance, defeatism, or simply withdrawal through the refusal to participate.¹⁶⁰

IV. WHO SINGS FOR THE NATION?

To this point, I have argued that Eurovision is a popular cultural means by which individuals through nation states relate to a transnational community in a plethora of different ways. But the ESC creates a multifaceted web of citizenship identification. In this section, I want to shift my focus downwards to look within the nation state at how cultural citizenship can operate through Eurovision. This investigation reinforces the point that the ESC facilitates multiple ways by which viewers relate to the event, and this underscores the complexity of identity and difference within, as well as beyond, the nation state.¹⁶¹ Thus, I now want to “drill down” to see the tensions that exist within the nation state in the determination of how it will be represented internationally. This illustrates the struggles and “contestations for cultural narratives”¹⁶² that surround how the nation constitutes its citizens within the conditions of complex, multiple identities.¹⁶³

Countries are largely free to choose their Eurovision entry by any means and there is considerable variation in practice.¹⁶⁴ Many create some form of competition for the choice of song and/or performer. This provides a public sphere in which to contest how the nation defines and presents itself, and for citizens and groups within the polity to make claims for rights of participation. It frequently raises both good natured and fierce debate about who belongs to the nation state and how it should be represented internationally. Questions concerning the appropriateness and authenticity of national representation go hand in hand with the issue of artistic merit. In this way, Eurovision reproduces the relationship

¹⁵⁹ See e.g. Victor Hondal, “Diaspora voting: clearer than ever!” online: Esctoday <<http://www.esctoday.com/news/read/8739>>.

¹⁶⁰ See Mari Pajala, “Finland, Zero Points: Nationality, Failure, and Shame in the Finnish Media” in Raykoff & Tobin, *supra* note 108, 71 at 71.

¹⁶¹ An analysis of the interesting field of audience reception of the ESC – including the rise of the Eurovision party, internet chat rooms, web based fan communities, and Eurovision tourists who attend the contest on an annual basis – is beyond the scope of this research. The relationship between multiculturalism and metaculturalism is an important distinction in this context; see Ray Taras, *Europe Old and New: Transnationalism, Belonging, Xenophobia* (Lanham: Rowman & Littlefield, 2009) at 234: “Eurodiscourse praises diversity within a member state but criticizes polyvocality within the arena of the EU. Put differently, for EU elites multiculturalism should govern in the national home (making it non-national) while metaculturalism should structure the transnational one (making it into an organic whole)”. The ESC, I would suggest, potentially troubles this binary.

¹⁶² Benhabib, *supra* note 1 at 8.

¹⁶³ See Delanty & Rumford, *supra* note 1 at 23: “European identity is a form of post-national self-understanding that expresses itself within, as much as beyond, national identities”.

¹⁶⁴ However, the content of Eurovision entries is regulated to the extent that some songs have been disqualified on the basis that they are too “political”. This interesting issue is beyond the scope of this article.

between citizenship as unity and forms of multicultural citizenship based on difference, in which challenges are made to the belief that there can be any essential, authentic, indigenous form of citizen unmediated by a constellation of identities and allegiances.

There are numerous examples where competitors at the national level have challenged conventional norms by which the nation state constructs itself, and in doing so, they have often risked the wrath of public and elite opinion. In terms of performers, it is not surprising that race and ethnicity have been closely tied to what is considered authentic representation, and it has been argued in this regard that Eurovision historically has been characterized by its “whiteness.”¹⁶⁵ But Eurovision is also significant in that it has created spaces whereby novel claims to citizenship through participation have been successful both at national level and in the ESC final itself. Thus, Eurovision has provided an opportunity to “open up” questions of citizenship in productive and interesting ways.¹⁶⁶ Here again, we see how Eurovision acts as a literal stage for performing disputes over identity and belonging.¹⁶⁷ Performance can serve to highlight that there is no primordial, essential national culture, instead flagging up the hybridity and cultural exchange that goes into the construction of nations and peoples.¹⁶⁸ Performance can also serve a transformative function in rewriting the historical narrative, re-presenting the nation state to others in such a way as to defy stereotypes of a nation state as “other.” It can underscore the complex relationship of nation both to a claimed essence and to global cultural currents. In this way, the central tensions that exist within national communities around, for example, race, ethnicity, gender and sexuality, in terms of who gets to speak (or, more accurately, sing) for the nation state get enacted.

Yet again, there are close parallels between citizenship in the ESC and in the European Union. For example, it has been thoroughly documented (and endlessly demonstrated) that lesbians and (particularly) gay men make up a devoted Eurovision audience that crosses national boundaries.¹⁶⁹ The ESC has even served as a fulcrum for the formation and manifestation of an international collective sexual identity by providing a point of identification that connects disparate gay communities. In this way, Eurovision can be understood as a longstanding practice of sexual citizenship, in that it has provided a site of community formation, self-

¹⁶⁵ Lutgard Mutsaers, “Fernando, Filippo, and Milly: Bringing Blackness to the Eurovision Stage” in Raykoff & Tobin, *supra* note 108, 61 at 61.

¹⁶⁶ In this respect, Eurovision exemplifies an emerging transnational sphere, “a space of multiple interactions between individuals, groups, nation-states, and supranational institutions”: Riva Kastoryano, “Citizenship and Belonging: Beyond Blood and Soil” in Hedetoft & Hjort, *supra* note 53, 120 at 133.

¹⁶⁷ This is further complicated by the fact that the performer need not be a citizen or resident of the entry country.

¹⁶⁸ See Anne Phillips, *Multiculturalism Without Culture* (Princeton: Princeton University Press, 2007) at 45: “characterising a culture is itself a political act, and the notion of cultures as preexisting things, waiting to be explained, has become increasingly implausible. People draw on a wide range of local, national, and global resources in the ways they make and remake their culture”.

¹⁶⁹ See Tobin, *supra* note 114.

validation, and identification with others.¹⁷⁰ There is also some evidence of bloc voting on the basis of sexuality across national borders suggesting an affinity that transcends national diversity.¹⁷¹

Related to this point, Eurovision has witnessed – on innumerable occasions – forms of sex/gender transgression in performance which trouble the heteronormativity of the nation state.¹⁷² In these moments, claims to inclusion in the national imagination are made which simultaneously facilitate the articulation of collective sexual identities within the nation state and transnationally. These claims frequently have been subject to contestation and debate, and have sometimes led to sharp “backlash” discourses from those who argue that the nation state is being inappropriately and inauthentically represented. National pride and shame are frequently invoked tropes.¹⁷³

In 2002, for example, the Slovenian entry (thanks to expert jury voting) was a drag act portraying three airline flight attendants.¹⁷⁴ While a queer reading of this performance might focus upon the postmodern play of the signifiers of sexuality, nationhood and globalization, the reaction in Slovenia was far less amused, with widespread protests.¹⁷⁵ Moreover, those protests were themselves “cited as evidence that Slovenia was not a suitable candidate for entry into the EU, which it hoped to join in 2004.”¹⁷⁶ The reaction outside of Slovenia underscored the EU’s own ideological underpinnings in relation to those countries seeking accession. That move underscores Europe’s continuing civilizing discourse, which has been most apparent in the context of accession states and the demands of EU institutions for national legal recognition of lesbian and gay rights.¹⁷⁷

By contrast, the famous victory of Israeli transsexual Dana International in ESC 1998 was widely (but certainly not universally) interpreted in Israel in positive terms as a triumph of liberalism.¹⁷⁸ Ivan Raykoff argues that “Dana International’s victory represented geographically peripheral Israel as ‘international’ too, and served to rally liberal West European values towards the

¹⁷⁰ On sexual citizenship, see Cossman, *supra* note 11; Jon Binnie, *The Globalization of Sexuality* (London: Sage, 2004); Carl F. Stychin, *Governing Sexuality: The Changing Politics of Citizenship and Law Reform* (Oxford: Hart Publishing, 2003).

¹⁷¹ Dafna Lemish, “Gay Brotherhood: Israeli Gay Men and the Eurovision Song Contest” in Raykoff & Tobin, *supra* note 108, 123 at 131.

¹⁷² See Tobin, *supra* note 114.

¹⁷³ But the relationship between sexuality and nationhood in the ESC is complex, and “hostility within Europe to the idea of a unified Europe often surfaces in homophobic ways”: Tobin, *supra* note 114 at 33.

¹⁷⁴ The group was named Sestre, and comprised Miss Daphne, Miss Emperatriz, and Miss Marlena. The performance is readily available, online: Youtube <<http://www.youtube.com/watch?v=Iq1MjjZCMQk>>.

¹⁷⁵ O’Connor, *supra* note 12 at 170.

¹⁷⁶ *Ibid.*

¹⁷⁷ Stychin, *supra* note 170 at 127-137. See also Zielonka, *supra* note 113 at 69: “for many of the current member states . . . enlargement looked more like a missionary crusade, in which applicant countries were sometimes treated as an equivalent of medieval barbarians that needed to be taught the superior Western ways”; and Andrew Williams, *EU Human Rights Policies: A Study in Irony* (Oxford: Oxford University Press, 2004), wherein the EU’s approach to human rights is described as ironic because of the gulf between the universalizing rhetoric deployed externally, and actual internal community practice.

¹⁷⁸ Raykoff, *supra* note 111 at 11.

image of a secular and progressive nation.”¹⁷⁹ It also served as an important tool for community formation by gay men in Israel who, it has been argued, felt part of a wider transnational queer community as a result.¹⁸⁰ At the time, the performance was described as blending “popular, representative Israeli music with resistance to ordinary nationalist representation.”¹⁸¹

More recently, the Eurovision contest in Moscow in 2009 served as the site for a gay pride march which led to violence and police brutality, as the state responded to demands made in the language of universal human rights.¹⁸² The ESC acted as a lynchpin for a clash over political inclusion, acceptance and rights.¹⁸³ In this moment, claims are denied through the direct violence of the state. These examples illustrate how the ESC inevitably raises the central citizenship question of who is entitled to speak (or sing) for the nation state – who is allowed in the public sphere of Eurovision – and which narrative of national identity is allowed to dominate (as well as the relationship between minority voices and the democratic majority, who have a central role to play in determining success).¹⁸⁴

V. CONCLUDING THOUGHTS

“Europe”: an unfilled signifier, an almost-empty term capable of endless mutations and transformations, an open and elusive term of great/little significance and power ... [T]he idea of Europe has become a liminal concept, fluid and indeterminate, and most importantly, a site of political struggle.¹⁸⁵

In this article, I have illustrated the complexities of citizenship and belonging through the example of the Eurovision Song Contest. I have argued that the ESC underscores the contested character of the nation state and the transnational entity that is “Europe”, in which claims of belonging are articulated and resisted, and visions of the community are contested. At the transnational level, I have argued that European citizenship clearly illustrates how the EU itself is lacking an essence and is better characterized as a union of peoples that is constructed, multiple, and shifting. In those moments in which identity is articulated, it is inherently

¹⁷⁹ Ibid.

¹⁸⁰ Lemish, *supra* note 171 at 125.

¹⁸¹ Yael Ben-Zvi, “Zionist Lesbianism and Transsexual Transgression: Two Representations of Queer Israel” (1998) 206 *Middle East Report* 26 at 28.

¹⁸² “Gay Protest Broken Up in Moscow” BBC News (16 May 2009), online: BBC <<http://news.bbc.co.uk/1/hi/world/europe/8053181.stm>>.

¹⁸³ This was not an isolated occurrence. See the ruling of the European Court of Human Rights that repeated bans on gay pride parades in Moscow violated the right to peaceful assembly: *Alekseyev v Russia*, no 4916/07, 25924/08 & 14599/09 (21 October 2010).

¹⁸⁴ A parallel dynamic occurs through European law and politics around sexual identity and non-discrimination. The institutions of the European Union have proven to be vehicles for political and legal reform around “sexual orientation”. This has facilitated transnational organizing which, to some extent, can bypass the nation state. It has proven particularly effective in putting pressure on states seeking to join the EU. This too has led to backlash in some parts of the EU, where claims are made in terms of national identity, self-determination, and respect for cultural difference: see Stychin, *supra* note 170 at 115-138.

¹⁸⁵ Janelle Reinelt, “Performing Europe: Identity Formation for a ‘New’ Europe” (2001) 53:3 *Theatre Journal* 365 at 365.

exclusionary and divisive. While one might assume that “artistic merit” is the essential unifying feature of the ESC, even an occasional viewer of the Contest will find that merit is itself a negotiable concept, and this is brought within sharp relief in the Contest.¹⁸⁶ My analysis advocates the rejection of a European ideology of cultural grand narratives across what may better be described as “a community of strangers.”¹⁸⁷

In this reading, the challenge – but also the potential – of “Europe” is for it to be revealed as an empty vessel of interpretive possibilities. This explains why the construction of anything described as a European Constitution may be doomed to fail, given that there is no shared historical narrative and no agreed telos.¹⁸⁸ We find instead a series of competing and sometimes contradictory narratives. Moreover, like Eurovision, the EU may display an ostensible commitment to equality between peoples (and human rights), but this can hide the extent to which this is a neoliberal equality which masks substantive economic inequalities between margins and centre.¹⁸⁹ The underlying thread that has woven the European Union together has been the market – the explicit basis for the EEC in the first place – and the form of citizenship which has accompanied it has been market citizenship characterized by the free movement of workers.¹⁹⁰ But the inadequacies of market citizenship have also been thoroughly documented, including that it creates a passive form of citizenship far removed from the republican traditions advocated by citizenship supporters.¹⁹¹ Eurovision, by contrast, does facilitate an active form of citizenship and it thereby opens up creative space by which claims to inclusion can be made by individuals, groups and nation states.¹⁹² It also underscores the complexities of multiple allegiances, the role of diasporic communities in citizenship, and gives rise to affinities and coalitions that cross borders. This is a citizenship that can both reify and denaturalize boundaries simultaneously. At its best, this form of “citizenship can be used in order to rethink the past, to transform the present and to open up new socio-political practices that can best realize the promise of equal participation in the polity.”¹⁹³

But I conclude by recognizing that the ESC cannot be separated from the disciplinary forces of citizenship. It is increasingly subject to “slick” production values, the commercialized international promotion of songs prior to the

¹⁸⁶ This is further complicated by the role of a “kitsch” aesthetic on the part of many audience members, by which the ‘bad’ can become fabulous: see Allatson, *supra* note 125.

¹⁸⁷ Dario Castiglione, “Political Identity in a Community of Strangers” in Jeffrey T Checkel & Peter J Katzenstein, eds, *European Identity* (Cambridge: Cambridge University Press, 2009) at 29.

¹⁸⁸ See Palombella, *supra* note 17; von Bogdandy, *supra* note 62.

¹⁸⁹ For an introduction to neoliberalism and the EU, see Christoph Hermann, “Neoliberalism in the European Union” (Vienna: Forba, 2005), online: The Institute for Work, Skills and Training <http://www.iaq.uni-due.de/ak_tuell/ver-oeff/2005/dynamo05.pdf>.

¹⁹⁰ Everson, *supra* note 23.

¹⁹¹ Richard Bellamy, “The ‘Right to Have Rights’: Citizenship Practice and the Political Constitution of the EU” in Richard Bellamy & Alex Warleigh, eds, *Citizenship and Governance in the European Union* (London: Continuum, 2001) at 41.

¹⁹² An analogy can be drawn to the potential of EU citizenship; see Lister & Pia, *supra* note 44 at 163: “European citizenship offers possibilities for greater political participation in different normative systems (human rights, EU) beyond the nation-state and multiple sites of identification and solidarity that could limit discrimination and marginalization”.

¹⁹³ Kostakopoulou, *supra* note 44 at 84.

competition, the ultimate goal of securing lucrative recording contracts and, perhaps most importantly, major costs to produce songs and host a highly commercial competition, as well as “the commodification of Otherness.”¹⁹⁴ We might therefore ask whether we are left with a form of citizenship that is increasingly disciplined and normalized. Although this point suggests a pessimistic conclusion regarding Eurovision as a space for the rearticulation of citizenship, a balanced assessment is demanded. That is, my view is that the ESC both disciplines and normalizes into a form of citizenship, but also leaves openings through which discipline can be circumvented. The parallel here may be to the ways in which the EU, which no doubt disciplines the citizen into the market, also creates spaces for moments of solidarity (such as transnational organizing around human rights) which challenge the centrality of market citizenship. The ESC, by analogy, opens spaces for camaraderie, coalition, affinity and transgression which trouble the neoliberal logic of formally equal, but substantively unequal citizens, and which do not rely upon narratives of cultural sameness.¹⁹⁵ This may be the wider lesson of the complexities of citizenship discourse – that it is a technology which is never total and in which the opportunities for transformation are never finally closed.

¹⁹⁴ Taras, *supra* note 161 at 87.

¹⁹⁵ But it does so within a context increasingly “dominated by transnational capital”: Allatson, *supra* note 125 at 96.